

FILED: September 15, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1418
(EPA-R03-OAR-2021-0873)

STATE OF WEST VIRGINIA

Petitioner

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; LEE M.
ZELDIN, Administrator, United States Environmental Protection Agency

Respondents

APPALACHIAN MOUNTAIN CLUB; SIERRA CLUB; ENVIRONMENTAL
DEFENSE FUND; NEW YORK; CONNECTICUT; ILLINOIS; MARYLAND;
MASSACHUSETTS; NEW JERSEY; PENNSYLVANIA; WISCONSIN;
DISTRICT OF COLUMBIA; HARRIS COUNTY, TEXAS; CITY OF NEW
YORK

Amici Supporting Respondents

O R D E R

Upon consideration of respondents' unopposed motion for abeyance, the court

grants the motion and places this case in abeyance for 120 days. The EPA shall file a motion to govern proceedings no later than January 13, 2026.

For the Court

/s/ Nwamaka Anowi, Clerk